UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

UNITED STATES OF AMERICA	)	
	)	DOCKET NO. 3:16CR259-RJC
v.	)	
	)	**FACTUAL BASIS**
SHAWN STEVEN WILSON	)	
	)	

NOW COMES the United States of America, by and through Jill Westmoreland Rose, United States Attorney for the Western District of North Carolina, and hereby files this Factual Basis in support of the plea agreement filed simultaneously in this matter.

This Factual Basis does not attempt to set forth all of the facts known to the United States at this time. This Factual Basis is not a statement of the defendant, and, at this time, the defendant may not have provided information to the United States about the offenses to which the defendant is pleading guilty, or the defendant's relevant conduct, if any.

By their signatures below, the parties expressly agree that there is a factual basis for the guilty plea(s) that the defendant will tender pursuant to the plea agreement. The parties also agree that this Factual Basis may, but need not, be used by the United States Probation Office and the Court in determining the applicable advisory guideline range under the *United States Sentencing Guidelines* or the appropriate sentence under 18 U.S.C. § 3553(a). The defendant agrees not to object to any fact set forth below being used by the Court or the United States Probation Office to determine the applicable advisory guideline range or the appropriate sentence under 18 U.S.C. § 3553(a) unless the defendant's right to object to such particular fact is explicitly reserved below. The parties' agreement does not preclude either party from hereafter presenting the Court with additional facts which do not contradict facts to which the parties have agreed not to object and which are relevant to the Court's guideline computations, to 18 U.S.C. § 3553 factors, or to the Court's overall sentencing decision.

1. Beginning on August 17, 2016, within the Western District of North Carolina, in Mecklenburg county and elsewhere, a Federal Bureau of Investigations (FBI) Online Covert Employee (OCE) was acting in an undercover capacity investigating individuals seeking to solicit minors for sexual encounters. One such individual, SHAWN STEVEN WILSON, responded to an Internet based online advertisement placed by the OCE. On August 17, 2016, WILSON began emailing the OCE who pretended to be an adult female with an eleven-year-old daughter who was curious about sex.

2. In WILSON's first communication with the OCE, he wrote "All I can tell from your ad is that there's something dirty that gets you wet that can't share with most people, so you've turned to the Internet. Hot. Dirty. Turns me on. I have experience with a few of these things, myself, and as it happens I'm a good teacher. Tell me your secret. Then send me a pic. If I like it and I can help you I'll send you mine."

3. The OCE responded "I am looking for someone to work with my daughter." WILSON responded back "Tell me about her, what she knows, what she needs to learn. This is perfectly in my area of expertise"

4. The OCE then stated, "I don't think she knows much other than what she has seen. She has accidently walked in on some videos I have been watching and asked for explanations. I want her to please a man and understand what an enjoyable experience this could and should be. Plus I love the thought of it. She is an outgoing girl. She is 11 and just started middle school. She is smallish. Very little development."

5. WILSON responded with "What did she see in these videos, were they vanilla, or some special fetish? Do you plan on being present when she and I talk? I would love to take this opportunity, but I have to take certain precautions due to the sensitive nature of this special education. Send me some pictures."

6. The OCE then stated, "What kind of pics? The videos were from Pornhub. Normal adult porn. I would like to be in the adjoining room, with door open...I would be there initially. I can stay in room if you like or she needs me to."

7. WISON then stated, "We'll discuss that when the time comes. Your request will probably be acceptable, and I may have you stay in the room. As with so many things in life, it all depends on the circumstances. Is the father in her life at all? Does she have any siblings? Send me a picture of her. Before we meet, I'll need to see her nude as well, or something else to demonstrate conclusively that I won't be walking into a trap. Trust is a dangerous thing sometimes, no?"

8. Through Internet based email, WILSON and the OCE continued their conversation and WILSON discussed teaching the 11-year-old child about sexual matters. The two then moved over to communicating through an Internet based chat messaging application.

9. On August 25, 2016, an FBI Undercover Certified Employee (UCE), posing as the mother of the eleven-year-old girl, met with WILSON in person at a shopping center in Charlotte, North Carolina to discuss a potential live meeting between WILSON and the child. The meeting was audio and video recorded.

10. In the meeting, WILSON said that he had once had sex with a minor female cousin who was going into middle school, while he was in New York for a funeral. WILSON said that the minor female "came onto him." WILSON told the UCE that he had multiple sexual encounters with this minor female and that she "went down on him and he went down on her." WILSON said that he wanted that minor female to have an orgasm and that "she finished me off and it was incredibly fucking hot." WILSON then said that in addition he had sexual intercourse with this minor female on two other occasions.

11. The UCE then asked WILSON how he saw things occurring with her 11-year-old daughter. WILSON described how he would talk to her and allow her to ask him questions. He said he would likely kiss her and touch her at first in a non-sexual way. WILSON asked the UCE to speak to her daughter about a potential meeting and inquire whether she has a desire to have sex. WILSON then further described that in a meeting with the child, he would start with holding her close and masturbating her. WILSON said that she might have some orgasms but he might delay these until he has oral sex or intercourse with her.

12. The UCE asked WILSON if he expected all the things he described to happen on the first face-to-face meeting with the 11-year-old and WILSON said that he was willing to do so but it could be delayed to a later meeting too. WILSON suggested that this meeting occur in the UCE's home and that the UCE could be in the room too while it is happening.

13. After the face-to-face meeting concluded, WILSON sent the OCE an instant message stating "if you get the opportunity to talk to her [the 11-year-old] and raise the subject, let me know. I had fun talking to you, but now I'm so damn horny I probably won't get anything else done. Haha"

14. The UCE and WILSON began to finalize plans for a face-to-face meeting between WILSON and the 11-year-old with a target date of Thursday, September 1, 2016. The UCE suggested that WILSON bring a musical CD, chocolate, and colored condoms. WILSON responded "I can do all those things and let me know if anything else occurs too. Thursday would be great."

15. On August 31, 2016, the UCE asked WILSON if he would be interested in chatting with the 11-year-old directly via the instant messaging application. WILSON desired to do so and the UCE then pretended to be the 11-year-old child instead of the child's mother.

16. The UCE, acting as the 11-year-old, expressed to WILSON that "she" is embarrassed but would like to know what he planned for them to do together. WILSON said that his goal was to help her experience whatever she feels like she wants to try and make sure she is having fun doing it and that she is safe. During the chat, WILSON sent a shirtless picture of himself to the 11-year-old. WILSON then discussed performing oral sex on the child and told her that it "feels really good and apparently he is quite good at it."

17. The UCE, while still posing at the 11-year-old, then asked WILSON "what else they could do." WILSON said that if she wanted to have sexual intercourse, then they can definitely do that.

18. Through the Internet based chat service, the OCE and WILSON finalized plans for him to meet the eleven-year-old child for a sexual encounter on September 1, 2016 at a location in Mecklenburg county.

19. On September 1, 2016, WILSON arrived at the agreed upon meeting location in his vehicle. WILSON had a red gift bag with a tag on it which read "TO: [Child's Name] From: Shawn." Inside the bag was a Taylor Swift CD and a vanilla-scented candle. WILSON also was carrying a black backpack which contained 16 multi-colored condoms and Durex brand "massage and play" oil. The backpack also contained five Cialis brand erectile dysfunction pills.

20. WILSON was arrested and agreed to be interviewed. In the interview, WILSON acknowledged being the sender of all the messages to the OCE. WILSON said he only wanted to "get the girl home to make sure she was okay." WILSON said that he was afraid for the girl's safety and that his intent in coming to the meeting was to make sure the girls was safe. WILSON said that he made up the story about his minor female cousin.

21. A forensic review of WILSON's phone revealed the aforementioned chats between WILSON and the OCE.

22. The Internet is a facility of interstate commerce. WILSON used a cellular smart phone utilizing the Internet to conduct the chats.

JILL WESTMORELAND ROSE
UNITED STATES ATTORNEY

DAVID A. THORNELOE
ASSISTANT UNITED STATES ATTORNEY

Defendant's Counsel's Signature and Acknowledgment

I have read this Factual Basis, the Bill of Indictment, and the plea agreement in this case, and have discussed them with the defendant. Based on those discussions, I am satisfied that the defendant understands the Factual Basis, the Bill of Indictment, and the plea agreement. I hereby certify that the defendant does not dispute this Factual Basis with the exception of those facts to which I have specifically reserved the right to object, and understands that it may be used for the purposes stated above.

______________________________ DATED: 5-24-17

Joseph Ledford, Attorney for Defendant